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Attorneys for Samsung Electronics Co., Ltd.,
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Samsung Research America, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

HUAWEI TECHNOLOGIES CO., LTD., et al.,

Plaintiffs,

v.

SAMSUNG ELECTRONICS CO., LTD., et al.,

Defendants.

SAMSUNG ELECTRONICS CO., LTD. &
SAMSUNG ELECTRONICS AMERICA, INC.,

Counterclaim-Plaintiffs,

v.

HUAWEI TECHNOLOGIES CO., LTD.,
HUAWEI DEVICE USA, INC., HUAWEI
TECHNOLOGIES USA, INC. & HISILICON
TECHNOLOGIES CO., LTD.,

Counterclaim-Defendants.

CASE NO. 16-cv-02787-WHO

**DECLARATION OF SAM STAKE IN
SUPPORT OF SAMSUNG'S MOTION
TO PARTIALLY EXCLUDE THE
REPORT AND TESTIMONY OF JORGE
PADILLA, MICHAEL J. LASINSKI,
AND CHARLES L. JACKSON AND
STRIKE THE REBUTTAL OPINIONS
OF JACQUES DELISLE AND ZHI DING**

1 I, Sam Stake, declare as follows:

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3 I am an attorney at the law firm of Quinn Emanuel Urquhart & Sullivan, LLP, counsel for
4 Defendants and Counterclaim-Plaintiffs Samsung Electronics Co., Ltd., Samsung Electronics
5 America, Inc., and Defendant Samsung Research America, Inc. (collectively, "Samsung"). I
6 submit this declaration in support of Samsung's Motion to Partially Exclude the Report and
7 Testimony of Jorge Padilla, Michael J. Lasinski, and Charles L. Jackson, and Strike the Rebuttal
8 Opinions of Jacques deLisle and Zhi Ding.

9 1. I have personal knowledge of the facts set forth in this declaration, and, if called
10 upon as a witness, I could and would testify to such facts under oath.

11 2. Attached hereto as Exhibit 1 is a true and correct copy of Mr. Lasinski's opening
12 report submitted in this action, dated April 27, 2018.

13 3. Attached hereto as Exhibit 2 is a true and correct copy of Dr. Padilla's opening
14 report submitted in this action, dated April 27, 2018.

15 4. Attached hereto as Exhibit 3 is a true and correct copy of Dr. Padilla's rebuttal
16 report submitted in this action, dated May 25, 2018.

17 5. Attached hereto as Exhibit 4 is a true and correct copy of Mr. Lasinski's rebuttal
18 report submitted in this action, dated May 25, 2018.

19 6. Attached hereto as Exhibit 5 is a true and correct copy of Mr. Lasinski's
20 supplemental report submitted in this action, dated June 12, 2018.

21 7. Attached hereto as Exhibit 6 is a true and correct copy of Dr. Padilla's
22 supplemental report submitted in this action, dated June 12, 2018.

23 8. Attached hereto as Exhibit 7 is a true and correct copy of Dr. Jackson's opening
24 report submitted in this action, dated April 27, 2018.

25 9. Attached hereto as Exhibit 8 is a true and correct copy of Dr. Gregory K. Leonard's
26 opening report submitted in this action, dated April 27, 2018.

27 10. Attached hereto as Exhibit 9 is a true and correct copy of relevant excerpts from
28 Plaintiffs' Direct Examination by Declaration for Expert Witness Dr. Ir. Ing. Rudi Bekkers in *TCL*

1 *Commc'ns Tech. Holdings Ltd. v. Telefonaktenbologet LM Ericsson*, No. CV 15-02370 JVS in the
2 United States District Court for the Central District of California, Southern Division ("TCL
3 Litigation").

4 11. Attached hereto as Exhibit 10 is a true and correct copy of an ABResearch Report
5 titled "LTE Standard Leadership and Terminal-Essential Patents Portfolios Analysis Within The
6 3GPP," dated August 25, 2016.

7 12. Attached hereto as Exhibit 11 is a true and correct copy of relevant excerpts from
8 the transcript of Dr. Jackson's deposition, dated June 13, 2018.

9 13. Attached hereto as Exhibit 12 is a true and correct copy of Dr. Leonard's rebuttal
10 report, dated May 25, 2018.

11 14. Attached hereto as Exhibit 13 is a true and correct copy of relevant excerpts from
12 Plaintiffs' Direct Examination by Declaration for Expert Witness Dr. Apostolos (Paul) Kakaes in
13 the TCL Litigation.

14 15. Attached hereto as Exhibit 14 is a true and correct copy of relevant excerpts from
15 the transcript of Dr. Padilla's deposition, dated June 28, 2018.

16 16. Attached hereto as Exhibit 15 is a true and correct copy of Dr. deLisle's rebuttal
17 report, dated May 25, 2018.

18 17. Attached hereto as Exhibit 16 is a true and correct copy of relevant excerpts from
19 the transcript of Dr. deLisle's deposition, dated June 15, 2018.

20 18. Attached hereto as Exhibit 17 is a true and correct copy of Dr. Ding's rebuttal
21 report submitted in this action, dated May 25, 2018.

22 19. Attached hereto as Exhibit 18 is a true and correct copy of Michael A.M. Davies'
23 opening report submitted in this action, dated April 27, 2018.

24 20. Attached hereto as Exhibit 19 is a true and correct copy of a "Cellular Standard
25 Essential Patent Cross License Agreement Between Huawei Technologies Co., Ltd and Apple
26 Inc.," dated December 12, 2014, and produced in this litigation as HW_Samsung_000257642-667.

27 21. Attached hereto as Exhibit 20 is a true and correct copy of relevant excerpts from
28 the transcript of Ms. Nanfen Yu's deposition, dated May 5, 2018.

ATTESTATION

I, Victoria F. Maroulis, am the ECF user whose ID and password are being used to file the above Declaration. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that Sam Stake has concurred in the aforementioned filing.

/s/ Victoria F. Maroulis
Victoria F. Maroulis